

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF NEBRASKA

United States of America

v.

TERRENCE MOORE

Case No: 8:11CR266

USM No: 24297-047

Date of Original Judgment: 05/03/2012

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

David R. Stickman

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 60 months **is reduced to** 57 months.

(Complete Parts I and II of Page 2 when motion is granted)

This matter is before the Court on defendant's motion to reduce sentence (Filing No. 88) following the Sentencing Commission's modification of the Sentencing Guidelines. While defendant's sentence was in accord with a Rule 11(C)(1)(c) plea agreement entered into by the parties, the approval of that sentence by the Court was pursuant to its obligation to determine if it was an appropriate sentence under the Guidelines premised upon all of the facts involved in determining the defendant's sentence. While the 11(C)(1)(c) sentence is binding on the Court, it is clear pursuant to the decision of the United States Supreme Court in *United States v. Freeman*, 131 S.Ct. 2685 (2011) that the defendant is entitled to the benefit of the modified Guidelines.

Except as otherwise provided, all provisions of the judgment dated 05/03/2012 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 08/05/2015

/s/ Lyle E. Strom

Judge's signature

Effective Date: 11/01/2015

(if different from order date)

LYLE E. STROM, Senior Judge

Printed name and title